

MINUTES

ZONING MEETING  
KEY BISCAVNE, FLORIDA

TUESDAY, MARCH 23, 2004

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 7:00 p.m. Present were Councilmembers Carol Diaz-Castro, Mortimer Fried (arrived at 7:10 p.m.), James L. Peters, Robert L. Vernon, Vice Mayor Jorge Mendia and Mayor Robert Oldakowski. Councilmember Martha F. Broucek was absent. Also present were Village Manager Jacqueline R. Menendez and Village Attorney Stephen P. Helfman.
2. **PLEDGE OF ALLEGIANCE:** Emergency Department Director, John C. Gilbert led the Pledge of Allegiance.
3. **SPECIAL PRESENTATIONS:** Chief Gilbert addressed the Council recognizing the following individuals on their appointment: Nelia Real appointed to the position of Police Sergeant; Mario Ginory and Jason Younes appointed to the position of Police Officers; Solon Gray and Mark Serrano appointed to the position of Community Service Officer.
4. **AGENDA:** The Manager requested the addition of an update regarding Channel 17 as Item 9D3 and the addition of an update regarding Virginia Key as Item 9D4; Councilmember Peters requested the addition of a report regarding the Miami-Dade League of Cities as Item 9A1 and Vice Mayor Mendia requested the addition of a discussion regarding transportation to the Nasdaq-100 Tennis Tournament. There was no objection to the agenda changes.

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5. **APPROVAL OF MINUTES:** Councilmember Peters made a motion to approve the minutes of the March 9, 2004 Regular Council Meeting. The motion was seconded by Councilmember Diaz-Castro and approved by a 5-0 voice vote. The vote was as follows: Councilmembers Diaz-Castro, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

Blanca Mesa, 544 Fernwood Road addressed the Council.

6. **BUILDING, ZONING AND PLANNING:** There were no Zoning issues considered by Council.

7. **ORDINANCES:** There were no ordinances considered by Council.

8. **RESOLUTIONS:** The Attorney read the following resolution by title:

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPOINTING MEMBERS TO THE CRANDON BOULEVARD MASTER PLAN IMPLEMENTATION COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Fried made a motion to approve the resolution. The motion was seconded by Vice Mayor Mendia.

The Manager addressed the Council regarding this resolution.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

The Attorney read the following resolution by title:

**A RESOLUTION OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE ATTACHED AGREEMENT ON BEHALF OF THE VILLAGE WITH POST BUCKLEY SCHUH & JERNIGAN, INC. FOR THE PREPARATION OF AN ENVIRONMENTAL INFORMATION DOCUMENT FOR THE VILLAGE OF KEY BISCAYNE SANITARY SEWER PROJECT, PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Fried made a motion to approve the resolution. The motion was seconded by Councilmember Diaz-Castro.

The Manager addressed the Council regarding this resolution.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

The Attorney read the following resolution by title:

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**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING AND APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN STAR HUMAN RESOURCES GROUP (THE “CONSULTANT”) AND THE VILLAGE OF KEY BISCAYNE TO PROVIDE FOR PROFESSIONAL PERSONNEL CONSULTING SERVICES; PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Fried made a motion to approve the resolution. The motion was seconded by Vice Mayor Mendia.

The Manager addressed the Council regarding this resolution.

Ed Meyer, 100 Sunrise Drive addressed the Council.

The resolution was approved by a 6-0 voice vote. The vote was as follows: Councilmembers Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

**9. REPORTS AND RECOMMENDATIONS:** The following items were discussed:

Mayor and Councilmembers. Councilmember Peters addressed the Council regarding the appointment of Councilmember Diaz-Castro to the General Obligation Board of the Miami-Dade League of Cities.

Vice Mayor Mendia addressed the Council regarding transportation provided by Miami-Dade County to the Nasdaq-100 Tennis Tournament.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

Village Manager. The Manager addressed the Council recommending the addition of a position to the Fire Department.

Chief Gilbert addressed the Council regarding the Fire Training Officer position for the Fire Department.

The Manager also addressed the Council regarding the reservation and designation of Fiscal Year 2003 operating surplus.

Councilmember Peters made a motion to place surplus of \$126,058 in the Working Capital Reserve. The motion was seconded by Councilmember Diaz-Castro and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Diaz-Castro, Fried, Peters, Vernon, Vice Mayor Mendia and Mayor Oldakowski voting Yes.

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The Manager also addressed the Council regarding the progress of Channel 17.

There was extensive discussion from Council regarding this matter.

It was the consensus of Council to direct the Manager to finalize negotiations with Key Biscayne Community TV for Channel 17 and present to the Council all costs involved for the wiring of the new buildings and start up costs for Channel 17.

The Manager addressed the Council giving an update regarding Virginia Key.

It was the consensus of Council to direct the Attorney to prepare a report for Council regarding the deeds and restrictions on this property.

10. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.

11. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.

12. **ADJOURNMENT:** The meeting was adjourned at 8:10 p.m.

*Respectfully submitted:*

*Conchita H. Alvarez, CMC*  
*Village Clerk*

*Approved this \_\_ day of \_\_\_\_, 2004:*

*Robert Oldakowski*  
*Mayor*

**IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.**